

**Subject:** Coffee County Response to Open Records Request from Marilyn Marks received March 21, 2022

**Date:** Thursday, March 24, 2022 at 3:09:35 PM Eastern Daylight Time

**From:** Jennifer Dorminey Herzog

**To:** Marilyn Marks

**CC:** Rachel.Roberts@coffeecounty-ga.gov, Tracie.Vickers@coffeecounty-ga.gov

**Attachments:** twitter.png, facebook.png, linkedin.png, HBS\_Email\_Signature\_1.19.22.jpg

Ms. Marks,

I appreciate your concern - I believe Ms. Vickers was simply trying to allow Ms. Rachel Roberts, Election Supervisor for the Coffee County Board of Elections and Registration, sufficient time to properly search for and respond to the request upon her return to the office (recognizing there are always one million things to do when you have been away from your desk!). However, after communication with Ms. Roberts, I believe it is a moot issue. As you are aware from responses to your previous open records requests, there has been significant turnover of Coffee County Elections' staff since the November 2020 election. It is my understanding that a former election supervisor changed a password and therefore as a result there was an inability by Coffee County to access the server which I am told contained the records you have requested. That server is now located in the Secretary of State's possession and therefore the County has no documents in its possession responsive to your request. You may choose to seek those records directly from the Secretary of State's office and Coffee County has no objection to the production of same.

There is no charge for this response.

Sincerely,

Jennifer Herzog

### Jennifer Dorminey Herzog

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**From:** Marilyn Marks <Marilyn@USCGG.org>

**Sent:** Monday, March 21, 2022 12:12 PM

**To:** Tracie.Vickers@coffeecounty-ga.gov

**Cc:** Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Rachel.Roberts@coffeecounty-ga.gov

**Subject:** FW: Open Records Request Marilyn Marks

Thank you, Tracie, for your response.

We object to the extended period of time you are requesting for a response. As you are aware, the images are part of the Election Project Package that the Secretary of State required to be produced by the county long ago. (See attached.) The images should be readily available and transferrable to drop box or an ftp site with transfer time of less than an hour. We work with literally millions of these images and understand the simplicity of the transfer process. I am happy to provide a drop box or similar file transfer site for the county to use.

As you know, the Georgia Open Records law requires that you produce responsive records in 3 days or less. Your response is not compliant with the intent of the statute.

Further, beyond the Georgia Open Records statute, O.C.G.A. 21-2-72 specifically related to election records permits public inspection of election records to occur at any time that the officials are not using the records. Therefore these ballot images should be immediately available for inspection. If the department needs until Thursday, March 24 when Ms. Roberts returns, to provide the images, that is acceptable. However delays beyond that date are not acceptable.

Also, please consider this request to be made in my individual capacity as well as on behalf of Coalition for good governance.  
Thank you for your assistance.

Marilyn Marks  
Executive Director  
[Coalition for Good Governance](#)  
Cell: 970 404 2225  
[Marilyn@USCGG.org](mailto:Marilyn@USCGG.org)  
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**From:** "Vickers, Tracie" <[Tracie.Vickers@coffeecounty-ga.gov](mailto:Tracie.Vickers@coffeecounty-ga.gov)>

**Date:** Monday, March 21, 2022 at 10:29 AM

**To:** Jennifer Dorminey Herzog <[jherzog@hallboothsmith.com](mailto:jherzog@hallboothsmith.com)>, Marilyn Marks <[marilyn@uscgg.org](mailto:marilyn@uscgg.org)>, Rachel Roberts <[Rachel.Roberts@coffeecounty-ga.gov](mailto:Rachel.Roberts@coffeecounty-ga.gov)>

**Subject:** FW: Open Records Request Marilyn Marks

Good Morning Ms. Marks, Please find the attached response in regard to your open records request received by Coffee County on Friday, March 21, 2022. If you have any questions, please contact me at 912-393-7108.

Tracie Vickers  
County Clerk / Open Records Custodian

**Tracie Vickers**  
**County Clerk**  
**Coffee County Commissioners**

**101 South Peterson Avenue  
Douglas, GA 31533  
912-393-7108**

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**From:** Scanner <[scanner@coffeecounty-ga.gov](mailto:scanner@coffeecounty-ga.gov)>  
**Sent:** Monday, March 21, 2022 10:22 AM  
**To:** Vickers, Tracie <[Tracie.Vickers@coffeecounty-ga.gov](mailto:Tracie.Vickers@coffeecounty-ga.gov)>  
**Subject:** Open Records Request Marilyn Marks